

**RULES
OF
TENNESSEE REAL ESTATE APPRAISER COMMISSION**

**CHAPTER 1255-2
EVALUATION OF APPRAISER EDUCATION**

TABLE OF CONTENTS

1255-2-.01	Repealed	1255-2-.09	Records
1255-2-.02	Educational Logging	1255-2-.10	Inspections
1255-2-.03	Repeated Courses	1255-2-.11	Changes in Applications
1255-2-.04	Repealed	1255-2-.12	Withdrawal of Approval
1255-2-.05	Course Provider Applications	1255-2-.13	Promotional Material
1255-2-.06	Course Guidelines	1255-2-.14	Repetition of Course Content
1255-2-.07	Course Content Guidelines - Qualifying Education	1255-2-.15	Fees
1255-2-.08	Course Content Guidelines - Continuing Education	1255-2-.16	Individual Review

1255-2-.01 REPEALED.

Authority: T.C.A. §§62-39-203, 62-39-204, 62-39-303, 62-39-312 and 62-39-333. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed December 16, 1997; effective March 1, 1998. Repeal filed December 13, 2004; effective February 26, 2005.

1255-2-.02 EDUCATIONAL LOGGING. Each applicant for a license or certificate will be required to prepare an educational log.

- (1) The educational log shall provide the following information:
 - (a) Date of course
 - (b) Name of course
 - (c) Content of course
 - (d) Provider
 - (e) Total classroom hours
 - (f) Location of course
- (2) The log shall be certified by the applicant and authenticated by signature. An applicant may be required to provide additional information on education if deemed necessary by the Commission.

Authority: T.C.A. §§62-39-203, 62-39-303, 62-39-312 and 62-39-333. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998.

1255-2-.03 REPEATED COURSES.

- (1) If a course has been taken more than once the hourly educational credit for that course will be only be counted once for purpose of satisfying the educational requirements for appraiser licensure or certification.
- (2) If a course is repeated, credit will only be granted for that course with the larger number of classroom hours.

(Rule 1255-2-.03, continued)

- (3) If the course were taken for the same number of hours, the number of hours in either course will be credited toward the educational requirement.

Authority: T.C.A. §§62-39-203, 62-39-303, 62-39-312 and 62-39-333, as amended by 1991 Public Acts, Chapter 366. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991.

1255-2-.04 REPEALED.

Authority: T.C.A. §§62-39-203, 62-39-303, 62-39-312 and 62-39-333. **Administrative History:** Original rule filed August 1, 1991; effective September 15, 1991. Amendment filed December 16, 1997; effective March 1, 1998. Repeal filed December 13, 2004; effective February 26, 2005.

1255-2-.05 COURSE PROVIDER APPLICATIONS

- (1) All applicants shall obtain qualifying education credit by successfully completing courses that are approved by the Commission from course providers who are approved by the Commission. The Commission shall approve qualifying education courses and course providers based on the qualifications of the providers and the content of the courses. The Commission shall consider the following providers for approval:
 - (a) colleges or universities;
 - (b) community or junior colleges;
 - (c) real estate appraisal or real estate related organizations;
 - (d) state or federal agencies or commissions;
 - (e) proprietary schools; or
 - (f) other providers approved by the Commission.
- (2) The Commission shall approve all qualifying education courses on an individual basis.
- (3) All real estate appraisal course providers who are seeking approval as a provider and the approval of their courses shall submit the following with an application provided by the Commission:
 - (a) A resume outlining the education and experience of the instructor(s) of such course(s);
 - (b) A detailed description of the content of each course;
 - (c) The projected schedule for the teaching of such course(s);
 - (d) Notwithstanding approval prior to July 1, 1991, all providers seeking approval of courses shall submit course outlines to the Commission for approval of each course; and
 - (e) Such other information as the Commission may reasonably request.

Authority: T.C.A. §§62-39-203, 62-39-204, and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998. Amendment filed January 19, 2001; effective April 5, 2001. Repeal and new rule filed December 13, 2004; effective February 26, 2005.

1255-2-.06 COURSE GUIDELINES.

- (1) The following definitions are provided for the terms “qualifying education” and “continuing education”:
 - (a) Qualifying education means education that is creditable toward the education requirements for trainee registration, initial licensure or certification under one (1) or more of the three (3) real estate appraiser classifications (Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser, and Certified General Real Estate Appraiser).
 - (b) Continuing education means education that is creditable toward the education requirements that must be satisfied to renew registration as a trainee or licensure or certification as a Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser, and Certified General Real Estate Appraiser.
- (2) An applicant to be a course provider shall demonstrate to the satisfaction of the Commission that each course submitted for approval shall:
 - (a) cover subjects which are reasonably related to the practice of real estate appraisal and suitably advanced to benefit and enrich the students enrolled;
 - (b) be conducted in a facility that meets the requirements of the Americans with Disabilities Act and contains adequate space, seating, and equipment;
 - (c) consist of no fewer than two (2) classroom hours for continuing education and fifteen (15) hours with an examination for licensure/certification requirements; and
 - (d) incorporate appropriate methods for determining whether a student has successfully completed such course. Such methods shall include, but not be limited to:
 1. a minimum attendance requirement of eighty percent (80%), except that such requirement shall be one hundred percent (100%) if the course consists of eight (8) or fewer classroom hours;
 2. provisions to make up for classes missed by a student; and
 3. for qualifying education and the fifteen (15) hour course in the Uniform Standards of Professional Appraisal Practice, a minimum passing requirement of seventy percent (70%) and a comprehensive final examination (or equivalent measure of achievement).
- (3) Internet Education/Distance Education
 - (a) An applicant shall submit the average completion time required by an attendee to take each course to support the requested number of hours.
 - (b) An applicant shall provide to the Commission a full description of the presentation format and instructional strategies; strategies should encompass or promote student/instructor interactions.
 - (c) An applicant shall ensure that the documents obtained showing the applicant’s identity and achievements are secure and accurate.
 - (d) An applicant shall explain to the Commission how an examination is administered, if an examination is given.

(Rule 1255-2-.06, continued)

- (4) Each hour of course instruction shall consist of fifty (50) minutes of actual instruction out of each sixty (60) minute segment.
- (5) Attendance. For distance education seminars where classroom attendance cannot be proctored by an on-site official approved by the presenting entity, the provider shall have a method acceptable to the Commission for ensuring student achievement of the course hour equivalent.
- (6) The courses listed in rules 1255-2-.07 and 1255-2-.08 are additions to those outlined in other sections and those lists of courses supplement those courses identified in other rules.

Authority: T.C.A. §§62-39-203, 62-39-204, and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Repeal and new rule filed December 13, 2004; effective February 26, 2005.

1255-2-.07 COURSE CONTENT GUIDELINES--QUALIFYING EDUCATION.

- (1) Acceptable Courses. An applicant applying for licensure as a state licensed real estate appraiser or for certification as a state certified residential or state certified general real estate appraiser shall meet his or her respective qualifying education requirements outlined in rules 1255-1-.05, 1255-1-.07 and 1255-1-.08 by successfully completing courses in the following areas:
 - (a) Courses on basic real estate appraisal principles and practices, which include, but are not limited to the following course topics:
 - 1. basic concepts of value (types of value, forces & factors influencing value and economic principles of value);
 - 2. legal considerations in real estate appraisal;
 - 3. characteristics and analysis of real estate markets;
 - 4. money capital markets and real estate financing;
 - 5. the valuation process;
 - 6. neighborhood/area analysis;
 - 7. collecting property data and property description;
 - 8. basic building construction, design and function;
 - 9. basic statistical concepts used in appraising;
 - 10. highest and best use analysis;
 - 11. sales comparison approach;
 - 12. site valuation;
 - 13. cost approach;
 - 14. income approach;
 - 15. reconciliation; and
 - 16. valuation of partial interests.

(Rule 1255-2-.07, continued)

- (b) Courses on basic real estate appraisal principles and practices, which include, but are not limited to, the following course titles:
 - 1. Introduction to Real Estate Appraisal;
 - 2. Fundamentals of Real Estate Appraisal;
 - 3. Real Estate Appraisal Principles;
 - 4. Residential Real Estate Appraisal Principles;
 - 5. Introduction to Residential Appraising;
 - 6. Real Estate Appraisal Practices;
 - 7. Basic Valuation Procedures; and
 - 8. Residential Appraisal Practices.
- (c) Courses on applied residential appraisal or residential appraisal case studies, which include, but are not limited to, the following course topics:
 - 1. practice problems relating to appraising various residential one (1) to four (4)-unit properties relating to:
 - (i) data collection;
 - (ii) market analysis;
 - (iii) highest and best use analysis;
 - (iv) site valuation;
 - (v) cash equivalency;
 - (vi) paired sales analysis;
 - (vii) estimating building costs and depreciation;
 - (viii) gross rent multiplier analysis; and
 - (ix) reconciliation.
 - 2. case studies of appraisals of various residential one (1) to four (4) unit properties;
 - 3. Uniform Residential Appraisal Report Form Preparation; or
 - 4. preparation of narrative residential appraisal report.
 - 5. The Commission shall also accept courses toward an applicant's qualifying education credit which include report preparation, but which emphasize the application of residential appraisal principles and methodology, or which include one (1) or more comprehensive case studies of appraisals of residential one (1) to four (4)-unit properties.

(Rule 1255-2-.07, continued)

6. The Commission will not give credit for a course that focuses only on the mechanical aspects of report preparation.
- (d) Courses on income property appraisal principles and methodology which include, but are not limited to, the following course topics:
1. the valuation process (review from perspective of appraising income properties);
 2. market analysis (from perspective of appraising income properties);
 3. basic income property valuation concepts (market value and investment values, types of income, rates of return, capitalization concept);
 4. compound interest and discount factors (concepts and applications);
 5. estimating gross income, expenses and net operating income;
 6. operating statement ratios and analysis;
 7. using income multipliers;
 8. direct capitalization (using overall capitalization rate extracted from market or using overall capitalization rate derived by bank of investment method);
 9. using residual techniques;
 10. discounted cash flow analysis (yield capitalization);
 11. forecasting cash flows and reversion (including lease considerations);
 12. valuation with basic discounted cash flow formula using overall yield (discount) rate;
 13. valuation using various yield capitalization formulas;
 14. mortgage and equity interests (concepts and effect of valuation);
 15. investment measures for the equity investor;
 16. valuation using equity capitalization rate;
 17. discounted cash flow analysis using equity yield rate;
 18. deriving yield rates by extraction and built-up method;
 19. site valuation;
 20. sales comparison approach (applied to income property appraising);
 21. cost approach (applied to income property appraising);
 22. reconciliation.
- (e) Courses on income property appraisal principles and methodology which include, but are not limited to, the following course titles:

(Rule 1255-2-.07, continued)

1. Introduction to Income Property Appraising;
 2. Principles of Income Property Appraisal;
 3. Appraising Income Property;
 4. Basic Income Capitalization Theory and Techniques;
 5. Advanced Income Capitalization Theory and Techniques.
- (f) If appropriate, the Commission may grant partial credit for courses that cover one (1) or more relevant topics that also include content that is not directly relevant.
- (g) Courses on applied income property appraisal or income property appraisal case studies which include, but are not limited to, the following course topics:
1. practice problems related to appraising various income properties relating to the following topics:
 - (i) market analysis;
 - (ii) cash flow forecasting;
 - (iii) collecting/analyzing data;
 - (iv) subdivision development analysis;
 - (v) extracting/deriving yield rates;
 - (vi) applying various discounted cash flow analysis techniques;
 - (vii) highest and best use analysis;
 2. case studies of appraisals of various income properties;
 3. preparation of narrative income property appraisal report;
 4. Uniform Commercial/Industrial Appraisal Report Form preparation;
 5. report preparation (emphasizing application of income property appraisal principles and methodology or which includes one (1) or more comprehensive case studies of income property appraisals);
 6. The Commission shall not accept a course that focuses only on the topic of mechanical aspects of report preparation.
- (h) The National Uniform Standards of Professional Appraisal Practice Course, or its equivalent. An applicant shall ensure that this course covers the Uniform Standards of Professional Appraisal Practice Preamble, Ethics Provision, Competency Provision, Departure Provision, Jurisdictional Exception, Definitions, Standards one (1) through three (3) and Statements on Standards relating to Standards one (1) through three (3), with primary emphasis on Standards one (1) and two (2). These courses may also cover Standards four (4) through ten (10).

(Rule 1255-2-.07, continued)

- (2) Unacceptable Courses. Examples of some courses that are not eligible for approval of qualifying education, but could be acceptable for continuing education are listed below. The following list does not represent all of the courses which are not acceptable for qualifying education:
 - (a) Courses which focus all or a majority of their instruction on only one (1) comparatively narrow aspect of real estate appraising and which examine that one (1) aspect in depth. Examples are:
 - 1. estimating building costs;
 - 2. estimating accrued depreciation;
 - 3. cash equivalency;
 - 4. use of financial calculators in appraising;
 - 5. subdivision analysis; and
 - 6. valuation of partial interests.
 - (b) Courses which focus primarily on advanced concepts/methods, a specialized aspect of real estate appraising, or appraising one specific type of property. Example of these types of courses are those which focus primarily on the following topics:
 - 1. real estate investment analysis;
 - 2. feasibility analysis;
 - 3. condemnation appraising/right of way appraising;
 - 4. review appraising;
 - 5. mass appraisal;
 - 6. litigation/testifying as an expert witness;
 - 7. appraising condominiums;
 - 8. appraising manufactured housing;
 - 9. appraising office buildings;
 - 10. appraising farms;
 - 11. appraising land; and
 - 12. appraising machinery and equipment.
 - (c) Courses intended specifically to prepare students for a real estate appraisal licensure/certification examination.
- (3) Qualifications of Instructors for Qualifying Education.
 - (a) The instructor or instructors for the National Uniform Standards of Professional Appraisal Practice Course shall be Appraiser Qualifications Board Certified instructor(s). At least one (1)

(Rule 1255-2-.07, continued)

of the instructors shall be a state certified residential real estate appraiser or state certified general real estate appraiser.

- (b) The instructor shall not have been disciplined by any licensing or certifying body in any manner. For purposes of this rule “disciplined” means any order containing a finding of improper conduct by the instructor. An instructor may make a written request to the Commission to have this restriction waived. The Commission shall consider the request and the Commission may grant or deny the request based on the discretion of the Commission.
- (c) The Course owner/affiliated entity shall have a written policy regarding instructor qualifications that requires the use of instructors who satisfy at least one (1) of the following qualification requirements:
 - 1. a baccalaureate degree in any field and three (3) years of experience directly related to the subject matter taught; or
 - 2. a master’s degree in any field and one (1) year of experience directly related to the subject matter taught; or
 - 3. a masters or higher degree in a field that is directly related to the subject matter taught; or
 - 4. five (5) years of real estate appraisal teaching experience directly related to the subject matter taught; or
 - 5. seven (7) years of real estate appraisal experience directly related to the subject matter taught.
 - 6. Except for the seven (7) hour and fifteen (15) hour National Uniform Standards of Professional Appraisal Practice Courses, the instructor must have authored, developed or taken the course or its equivalent prior to teaching and shall provide the Commission with evidence thereof. For the purposes of the seven (7) hour and the fifteen (15) hour National Uniform Standards of Professional Appraisal Practice Courses, the instructor must be certified by the Appraiser Qualifications Board.

Authority: T.C.A. §§62-39-203, 62-39-204, and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998. Repeal and new rule filed December 13, 2004; effective February 26, 2005.

1255-2-.08 COURSE CONTENT GUIDELINES - CONTINUING EDUCATION

- (1) The course must involve a minimum of two (2) classroom hours of instruction on acceptable real estate appraisal or related topics.
- (2) The course must contribute to the goal of maintaining or increasing the knowledge, skill and competence of real estate appraisers with regard to the performance of real estate appraisals in a manner that best serves the public interest. Courses are not acceptable if they would contribute only generally to the appraiser’s knowledge of the business field, rather than specifically to operating an appraisal business.
- (3) Courses that satisfy the qualification education course content are acceptable as continuing education. The Uniform Standards of Professional Appraisal Practice (USPAP) course may be approved as both qualifying education and repeated for continuing education credit.

(Rule 1255-2-.08, continued)

- (4) These guidelines provide examples of topics that are considered to be either acceptable or unacceptable. These lists are not all-inclusive and are included for illustrative purposes to assist education providers in understanding the course content requirements under this program.

- (a) Acceptable real estate appraisal topics include the following:

1. appraisal arbitration;
2. appraisal laws, standards and ethics (review/update/applications);
3. appraising any specific type of property (for example: single family residences, condominiums, manufactured housing, apartment complexes, office buildings, warehouses, farms, rural properties, etc.);
4. appraising from blueprints and specifications;
5. case study of a particular type of property;
6. cash equivalency;
7. cash flow forecasting;
8. computer applications in appraising;
9. condemnation/right of way appraising;
10. estimating accrued depreciation;
11. estimating building costs;
12. feasibility analysis;
13. federal agency appraisal regulations /requirements;
14. highest and best use analysis;
15. litigation (involving appraisal issues /appraiser testimony);
16. mass appraisal;
17. real estate investment analysis;
18. real estate market analysis (advanced or specialized application);
19. review appraising;
20. sales comparison techniques (advanced or specialized application);
21. special techniques in appraising for ad valorem taxation purposes;
22. state agency appraisal regulations/requirements;
23. subdivision analysis;
24. Uniform Standards of Professional Appraisal Practice;

(Rule 1255-2-.08, continued)

25. Uniform Residential Appraisal Report Form Preparation;
 26. Uniform Commercial/Industrial Appraisal Report Form Preparation;
 27. use of financial calculators in appraising;
 28. valuation of partial (special) interests; and
 29. writing an effective narrative report.
- (b) Acceptable real estate topics include the following:
1. real estate development;
 2. real estate finance;
 3. real estate investments;
 4. real estate (property) law;
 5. real estate management;
 6. real estate mathematics;
 7. real estate syndication;
 8. real estate taxation;
 9. federal/state taxation of real estate investments; and
 10. land use controls/zoning.
- (c) Acceptable business topics include the following:
1. accounting;
 2. corporate finance;
 3. economics (macro and micro);
 4. investments; and
 5. statistics.
- (d) Other acceptable topics include the following:
1. appraising machinery and equipment;
 2. business valuation;
 3. construction;
 4. surveying;

(Rule 1255-2-.08, continued)

5. hazardous waste; and
 6. any additional subject which the Commission may approve.
- (e) Unacceptable real estate topics include the following:
1. real estate fundamentals;
 2. real estate sales (and related topics);
 3. real estate license law;
 4. agency law.
 5. business topics:
 - (i) advertising/marketing;
 - (ii) bookkeeping;
 - (iii) business administration;
 - (iv) business law;
 - (v) computer principles/programming systems;
 - (vi) office management/systems;
 - (vii) personnel management;
 - (viii) principles of management; and
 - (ix) typing/word processing.
 6. personal development topics:
 - (i) communications (oral or written);
 - (ii) interpersonal communications;
 - (iii) memory improvement;
 - (iv) public speaking;
 - (v) speed reading;
 - (vi) stress management;
 - (vii) time management.
 7. other topics:
 - (i) appraiser examination preparation.
- (5) Qualifications of Instructors for Continuing Education.

(Rule 1255-2-.08, continued)

- (a) The course owner/affiliated entity must have a written policy regarding instructor qualifications that requires the use of instructors who satisfy at least one of the following qualification requirements at a minimum:
 - 1. The instructor must not have been disciplined by any licensing or certifying body in any manner. For purposes of this rule “disciplined” shall be defined as any letter, order or any other document or hearing which resulted in a finding of improper conduct by the instructor. An instructor may make written request to have this requirement waived. The Commission shall consider these requests on an individual basis. However, nothing in this rule shall create the right to a contested case hearing as defined by the Administrative Procedures Act.
 - 2. Instructors must either:
 - (i) possess three (3) years of experience directly related to the subject matter to be taught; or
 - (ii) possess a baccalaureate or higher degree in a field directly related to the subject matter to be taught; or
 - (iii) possess three (3) years of experience teaching the subject matter to be taught.
 - (iv) a combination of education and experience equivalent to (i), (ii), or (iii) above.

Authority: T.C.A. §§62-39-203, 62-39-204, and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998. Amendments filed December 13, 2004; effective February 26, 2005.

1255-2-.09 RECORDS.

The provider of any course(s) approved by the Commission shall maintain accurate and permanent records on all students enrolled in such course(s). The records shall include all information and ratings considered in determining whether students successfully complete such course(s). Such records shall be made available upon request to the Commission or its authorized representative.

Authority: T.C.A. §§62-39-203 and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1998.

1255-2-.10 INSPECTIONS.

By applying for the Commission’s approval of any course in real estate appraisal, the provider applicant agrees to permit periodic inspections and monitoring by the Commission or its authorized representative for the purpose of evaluating facilities, course content, instructor performance, or any other relevant aspect of the administration and conduct of such course. The provider applicant also agrees to provide the Commission, on a quarterly basis, with a list of all scheduled courses for the quarter, including the time, date and location of such courses, in order to facilitate such inspection.

Authority: T.C.A. §§62-39-203 and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1998. Amendment filed January 19, 2001; effective April 5, 2001.

1255-2-.11 CHANGES IN APPLICATIONS.

Any material change in any information furnished in connection with any application for approval of a course (including, but not limited to, information concerning course content, instructors, and facilities) shall be submitted to and approved by the Commission before taking effect.

Authority: T.C.A. §§62-39-203 and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994.

1255-2-.12 WITHDRAWAL OF APPROVAL.

- (1) Approval of any course(s) may be withdrawn by the Commission if:
 - (a) The conduct of a provider, an instructor, or any other school representative in either the establishment or conduct of a course violates, or fails to meet the requirements of, the provisions of this chapter or other applicable law;
 - (b) the information contained in the application for approval is materially inaccurate or misleading;
 - (c) the provider, an instructor, or any other school representative disseminates false or misleading information concerning any course;
 - (d) the provider, an instructor, or any other school representative possesses, claims to possess, reveals, or distributes any questions utilized in examinations given by the Commission; or
 - (e) the performance of the instructor is so deficient as to impair significantly the value of a course; provided, however, that the instructor shall receive adequate notice of the discovered deficiency and opportunity to demonstrate satisfactory correction thereof.

Authority: T.C.A. §§62-39-203 and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998. Amendment filed January 19, 2001; effective April 5, 2001.

1255-2-.13 PROMOTIONAL MATERIAL.

Material used for advertising or promoting any course must not be misleading. Any statements or claims made in such materials must be factually supported. The use of misleading materials for advertising or promoting any course constitutes grounds for withdrawal of approval of the course.

Authority: T.C.A. §§62-39-203 and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998.

1255-2-.14 REPETITION OF COURSE CONTENT.

- (1) The Commission will not award credit for completion of required qualifying real estate appraisal education if the content of any course for which credit is claimed duplicates or repeats the content of a course for which credit has been previously received.
- (2) A license or certificate holder may obtain continuing education credit for any course taken more than once if the course has undergone a significant update or if the license or certificate holder has not taken the course within the previous five (5) years. This paragraph does not apply to courses in the Uniform Standards of Professional Appraisal Practice.
- (3) In general, an applicant for trainee registration, licensure, certification or renewal thereof may not claim credit for the same course as both qualifying and continuing education during the same renewal

(Rule 1255-2-.14, continued)

period; however, an applicant for upgrade may claim as qualifying education a course the applicant has taken for continuing education, but only if the applicant successfully completed the course examination.

Authority: T.C.A. §§62-39-203 and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Amendment filed January 19, 2001; effective April 5, 2001.

1255-2-.15 FEES.

- (1) The required fee from a course provider for approval of courses fifteen (15) hours or longer shall be two hundred dollars (\$200.00) for each course. Once the application has been filed and processed, the application fee may not be refunded.
- (2) The required fee from a course provider for approval of courses less than fifteen (15) hours shall be one hundred dollars (\$100.00) for each course. Once the application has been filed and processed, the application fee may not be refunded.
- (3) Course approval shall be valid for a two year (2)-year period from the date of approval and shall be renewed biennially thereafter.
 - (a) The provider of an approved course who wishes to renew such approval shall submit an application, on a form approved by the Commission, along with a renewal fee of two hundred dollars (\$200.00) for each course fifteen (15) hours and over or one hundred dollars (\$100.00) for each course less than fifteen (15) hours, within thirty (30) days prior to the approval's expiration.
 - (b) In order to renew course approval and in addition to the payment of the appropriate fee, the provider shall also submit with the application a notarized statement certifying that the provider has not significantly changed the content of the course since its original approval.
 - (c) If a provider fails to renew course approval within thirty (30) days or the approval's expiration date, the provider may, upon payment of a fifty dollar (\$50.00) penalty, apply for a late renewal. No late renewals or course approval will be granted if over three (3) months have passed since expiration.
- (4) The Commission will not require a fee from state supported universities, colleges and junior colleges which provide courses for qualifying or continuing education.

Authority: T.C.A. §§62-39-203, 62-39-204, 62-39-206, and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998. Amendment filed January 19, 2001; effective April 5, 2001. Repeal and new rule filed December 13, 2004; effective February 26, 2005.

1255-2-.16 INDIVIDUAL REVIEW.

A license or certificate holder can apply on an individual basis for continuing education credit for a course or courses provided by the same provider which is not approved by the Commission. To be considered for credit, the proper form must be received along with a fee of twenty-five dollars (\$25.00).

Authority: T.C.A. §§62-39-203 and 62-39-333. **Administrative History:** Original rule filed October 26, 1993; effective January 11, 1994. Amendment filed December 16, 1997; effective March 1, 1998.